

Message Text

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17

ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 3015

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E.O. 11652: N/A

TAGS: PINT, JA

SUBJECT: LOCKHEED: DISCLOSURE FLAP

REFS: (A) TOKYO 15519; (B) TOKYO 15521

SUMMARY. QUESTION OF DISCLOSURE OF US-FURNISHED LOCKHEED INVESTIGATION DATA STAYED ALIVE OVER WEEKEND WHEN YOMIURI PUBLISHED INTERVIEW WITH ASSISTANT ATTORNEY GENERAL THORNBURGH, NIHON KEIZAI (KYODO) QUOTED JUSTICE DEPT SPOKESMAN AS SAYING THAT DISCLOSURE MIGHT BE POSSIBLE UNDER CERTAIN CIRCUMSTANCES; AND FOUR OPPOSITION PARTIES AGREED ON FIVE-POINT DEMAND REGARDING LOCKHEED DATA AND "GRAY" OFFICIALS. END SUMMARY.

1. IN INTERVIEW CARRIED IN OCTOBER 15 EVENING YOMIURI, ASSISTANT ATTORNEY GENERAL THORNBURGH IS QUOTED AS SAYING THAT JUDICIAL AGREEMENTS FOR SHARING LOCKHEED INFORMATION DID NOT RULE OUT FUTURE DISCUSSIONS WHEN CIRCUMSTANCES WARRANTED. HE NOTED, HOWEVER, THAT US INTEREST IN CONFIDENTIAL HANDLING OF INFORMATION WAS DUE TO CONCERN THAT PREMATURE DISCLOSURE WOULD INFRINGE ON HUMAN RIGHTS AND CONCERN THAT INVESTIGATIONS BE THOROUGHLY CONDUCTED. THORNBURGH AGREED IT WAS CORRECT TO SAY THAT IF JAPANESE SIDE SHOULD REQUEST PERMISSION TO DISCLOSE INFORMATION TO DIET AFTER
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COMPLETION OF JAPANESE INVESTIGATION, JUSTICE WOULD

GIVE REQUEST CAREFUL STUDY, TAKING INTO ACCOUNT US POSITION. HE STATED THAT, SINCE REQUEST MADE BY VISITING DIETMEN LAST SPRING, JUSTICE HAD RECEIVED NO REQUEST FROM GOJ REGARDING DISCLOSURE OF LOCKHEED INFORMATION.

2. OCTOBER 16 EVENING EDITION OF NIHON KEIZAI CARRIED WASHINGTON DATELINE STORY STATING THAT JUSTICE DEPARTMENT SPOKESMAN HAD OCTOBER 15 "REAFFIRMED" POSSIBILITY OF PUBLIC DISCLOSURE OF LOCKHEED DATA. SPOKESMAN IS QUOTED AS SAYING THAT UNDER TERMS OF US-JAPAN JUDICIAL AGREEMENT, DISCLOSURE OF LOCKHEED DATA COULD NOT BE MADE AT PRESENT STATE OF INVESTIGATION. HE NOTED, HOWEVER, THAT AT SOME POINT IN FUTURE BOTH JAPAN AND WEST GERMANY COULD MAKE REPRESENTATIONS ON QUESTION. NOTING APPARENT GAP IN UNDERSTANDING AS TO TIMING FOR SUCH DISCLOSURE, SPOKESMAN REITERATED THAT ON COMPLETION OF US INVESTIGATIONS, IT WAS UP TO JAPANESE TO INITIATE DISCUSSIONS.

3. REACTING TO "UNACCEPTABLE" INTERIM REPORT ON LOCKHEED (REF B), JSP, CGP, JCP AND DSP DIET POLICY CHAIRMAN MET OCTOBER 16 AND AGREED ON FIVE-POINT "DEMAND" WHICH THEY PLANNED TO PRESENT TO OCTOBER 18 DIET POLICY CHAIRMEN MEETING, INCLUDING LDP. DESCRIBING INTERIM REPORT AS A "BETRAYAL" OF PEOPLE'S WISHES, OPPOSITION PARTIES DEMANDED THAT: (A) GOJ RENEGOTIATE AGREEMENT WITH US TO PERMIT DISCLOSURE OF ALL LOCKHEED DATA; (B) GOJ DISCLOSE "GRAY" NAMES; (C) ALL UNDISCLOSED POINTS SURROUNDING PXL PROBLEM BE CLEARED UP; (D) BUDGET COMMITTEE BE REOPENED TO INITIATE PERJURY PROCEEDINGS AGAINST KENJI OSANO; AND (E) MEASURES BE STUDIED TO PREVENT RECURRENCE OF LOCKHEED-TYPE INCIDENTS.

4. COMMENT. NIHON KEIZAI AND YOMIURI STORIES WERE NOT PICKED UP BY OTHER PAPERS. THEY INDICATE, HOWEVER, CONTINUING INTEREST HERE IN QUESTION AND POSSIBLE INACCURACIES IN EARLIER REPORTING TO EFFECT THAT USG WOULD NOT ENTERTAIN REQUESTS FOR RENEGOTIATION AIMED AT PUBLIC RELEASE OF LOCKHEED INFORMATION.

5. OPPOSITION "DEMANDS" ARE NOTHING MORE THAN REITERATION LIMITED OFFICIAL USE

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OF PREVIOUS POSITIONS. FIRST THREE WILL PROBABLY MEET WITH LITTLE SUCCESS, BUT INVESTIGATION OF OSANO NOW UNDERWAY AND MIKI, HIMSELF, HAS ENDORSED LAST DEMAND.
HODGSON

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